

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3566

IN THE MATTER OF:

Served September 27, 1990

Application of DIPLOMAT LIMOUSINE)
AND LIVERY SERVICE, INC., for)
Temporary Authority to Conduct)
Charter Operations Pursuant to)
Contract with U.S. Department of)
the Interior, Fish and Wildlife)
Service)

Case No. AP-90-40

By application filed September 6, 1990, Diplomat Limousine and Livery Service, Inc. (Diplomat or applicant), a Maryland corporation, seeks temporary authority to transport passengers, together with mail, express, and baggage in the same vehicle as passengers, in charter operations between the Arlington Square Building (4401 North Fairfax Drive, Arlington, VA) and the Main Interior Building (1849 C Street, N.W., Washington, DC) pursuant to a contract with the United States Department of the Interior, Fish and Wildlife Service (FWS).

Order No. 3551, served September 11, 1990, generally described the evidence submitted with the application, and that order is incorporated herein by reference. Order No. 3551 served as publication of notice and directed that protests, if any, be filed in accordance with Commission Rule No. 14 no later than Thursday, September 20, 1990. No protests to the application have been received by the Commission.

Title II, Article XII, Section 4(d)(3) of the Compact provides that the Commission may, in its discretion, grant an application for temporary authority, without hearings or other proceedings, if it finds that there is an immediate and urgent need for the service proposed by the application and that no other carrier service is capable of meeting that need. Fitness of the applicant is also required. See Application of Suburban Transit Company for Temporary Authority to Serve the Capital Centre, Order No. 1643, served January 24, 1977; Application of American Coach Lines, Inc., for Declaratory Order or, in the Alternative, Temporary Authority to Conduct Charter Operations Between Points in the Metropolitan District, Order No. 2738, served July 22, 1985. See also Order Nos. 2440, 2448, 2864, and 3221, served July 22, 1983; August 10, 1983; May 23, 1986; and August 23, 1988, respectively.

Inasmuch as no duly authorized carrier protested this application, thereby indicating its ability and willingness to provide the service proposed by applicant, the Commission finds that no other carrier is capable of meeting the need for the proposed service. It is

further found, based on the evidence of record as described in Order No. 3551, that there is an immediate and urgent need for the service described in this application and that applicant is fit to provide that service.

THEREFORE, IT IS ORDERED:

1. That Diplomat Limousine and Livery Service, Inc., is hereby conditionally granted a maximum of 180 days temporary authority, contingent upon timely compliance with the terms of this order, to transport passengers, together with mail, express, and baggage in the same vehicles as passengers, in charter operations between Arlington Square Building (4401 North Fairfax Drive, Arlington, VA) and the Main Interior Building (1849 C Street, N.W., Washington, DC) pursuant to a contract with the United States Department of the Interior, Fish and Wildlife Service.

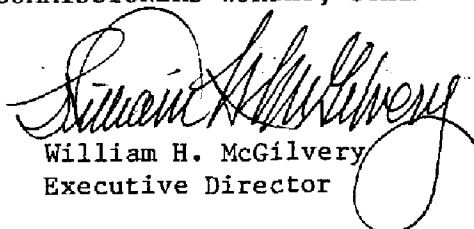
2. That Diplomat Limousine and Livery Service, Inc., is hereby directed, no later than 30 days from the service date of this order (a) to identify its vehicles in accordance with Commission Regulation No. 67-03; (b) to file an affidavit of compliance with Commission Regulation No. 67-03; (c) to file three copies of its WMATC Temporary Tariff No. AP-90-40, each consisting of an executed copy of its contract with FWS and an appropriate tariff cover page; (d) to file an equipment list stating make, model, serial number, vehicle number (if any), seating capacity, and license plate number (with jurisdiction) for all vehicles to be used in revenue operations; (e) to file evidence of ownership or lease(s), as appropriate, for all vehicles to be used in revenue operations; and (f) to file a certificate of insurance in conformance with Commission Regulation No. 62 covering all vehicles to be used in revenue operations.

3. That the Executive Director shall notify Diplomat Limousine and Livery Service, Inc., in writing, upon its timely compliance with the requirements of this order, that it may commence operations pursuant to temporary authority.

4. That the temporary authority granted herein shall expire March 29, 1991, unless otherwise ordered by the Commission.

5. That unless Diplomat Limousine and Livery Service, Inc., complies with the requirements of this order within 30 days from date of issuance or such additional time as the Commission may direct or allow, the grant of authority contained herein shall be void, and this application shall stand denied in its entirety, effective upon the expiration of the said compliance time.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:


William H. McGilvery
Executive Director